# Celebrating the History of the United States Attorney's Office Eastern District of Michigan



Welcome and thank you for joining us as we celebrate and honor current and former members of the United States Attorney's Office in Detroit, Michigan

# United States Attorneys District of Michigan 1815-1863 Eastern District of Michigan 1863-Present

From its modest and austere beginnings in 1815 in a single room where pleadings were scratched out with a quill pen to the complex litigation and high technology of the 21st Century, the United States Attorney's Office has a rich history of colorful personalities and fascinating cases, both of which have had a significant impact on the events of every generation.

These photographs and summaries record the United States Attorneys of this district and some of the events of their public service, as well as the contributions of their staff. In their countless legal and factual decisions during two centuries, they have helped carve out the rule of law which has protected this nation from both despotism and anarchy. The United States Attorney's Office is charged with the responsibility of protecting the principle of every person's right to a fair and meaningful day in court and a result which is reasoned and based on an equal application of the law.

As the inscription proclaims on the United States Department of Justice Building in Washington, D. C.

No Free Government Can Survive That Is Not Based On The Supremacy of Law Where Law Ends, Tyranny Begins Law Alone Can Give Us Freedom

The History Project: Ross Parker Cathy Beck Stephen J. Murphy, III
United States Attorney
Eastern District of Michigan

# SOLOMON SIBLEY (1815 - 1824) -James Madison

Arriving in Detroit in 1797, he was one of the territory's first attorneys. Appointed as Michigan's first United States Attorney, he was a pioneer of frontier



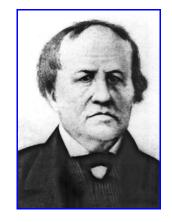
justice, braving Indian trails by horseback to attend territorial courts and helping to establish the rule of law. He also promoted the area's economic development, cultivated his fruit farm, and served as a Justice on the Territorial Supreme Court.

# ANDREW G. WHITNEY (1824 - 1826) - James Monroe

After serving as a Navy Chaplain, militia captain, and Sibley's law partner, he succeeded him as United States Attorney and helped to develop federal legal practices and procedures as waves of settlers came to the Michigan Territory. During his term, he continued his active law practice, was known as a stirring orator at public events, and helped develop a settlement in Pontiac.

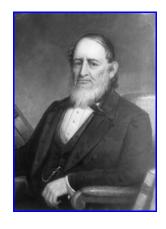
# DANIEL LeROY (1826 - 1834) -John Quincy Adams

A former Oakland County judge and prosecutor, he helped develop the common law, modifying English law to suit frontier needs. The territory's population



increased fivefold despite a cholera

epidemic and the Black Hawk War with the Indians. He prosecuted trespasses on the Winnebago Indian Tribe land, illegal timber cutting on federal property, and illegal gambling. He was later the territory's last Attorney General before statehood.



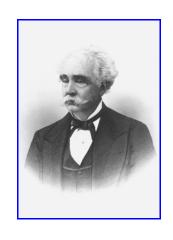
# DANIEL GOODWIN (1834 - 1841) -Andrew Jackson

He helped negotiate the compromise with Ohio in the boundary dispute and represented the federal government in the first United States District Court,

primarily in federal debt collection cases and criminal prosecutions for counterfeiting, dueling, and theft from the mail. His other civil cases involved admiralty claims, customs forfeitures, and naturalization proceedings.

# GEORGE C. BATES (1841-1845, 1850-1852) -William Harrison, Franklin Pierce

An active litigator in district and circuit courts, his most notable case was the unsuccessful prosecution of "King"



James Jesse Strang, a Mormon leader charged with counterfeiting and theft on Beaver Island. Mr. Bates supported a free public school system and proposed, without success, to give the right to vote to African-Americans in the 1850 state constitutional convention.



JOHN NORVELL (1845 - 1850) -James K. Polk

He served as Postmaster, United States Senator, Michigan Senator and Representative on the Board of Regents before his appointment. As

United States Attorney he litigated land claim rights and prosecuted unlawful timber cutting. An active Jacksonian Democrat, he advocated westward expansion for the nation and supported the administration in the Mexican War, in which three of his sons served.



A champion of public education, he arranged financing for free schools for all Detroit children and was the President of the Board of Education. He also



helped establish the State Normal School for training teachers, later to be re-named Eastern Michigan University. As pre-Civil War tensions heightened, he became one of the organizers of the Free Soil Party in 1854.



# GEORGE E. HAND (1853 - 1857) -Franklin Pierce

Prior to his appointment, he was an active litigator, probate judge and state legislator. His litigation as United States Attorney included unpopular

enforcement of the Fugitive Slave Act and actions involving theft of timber, Michigan's most important resource at the time. Among his civil cases were the often elaborate and convoluted procedures for collecting federal debts. After his term, he practiced law in Detroit and was an active supporter of the University of Michigan.

## JOSEPH MILLER, JR. (1857 - 1861) - James Buchanan

A well-known attorney and prosecutor in Kalamazoo before his appointment, he established the United States Attorney's Office in 1860 in the first federal building in Detroit, which also housed the district court and the post office. He litigated several civil cases about the importance of river transportation, which helped make Detroit one of the most active ports on the Great Lakes.

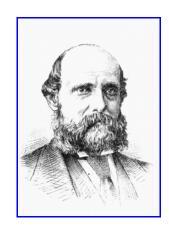


WILLIAM L. STOUGHTON (1861 - 1862) -Abraham Lincoln

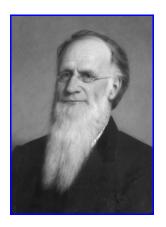
He hired the district's first Assistant United States Attorney, Henry Billings Brown, who eventually became a United States Supreme Court Justice in 1891. After one year as United States Attorney, he resigned to join the army in the Civil War where he served with distinction as a Colonel of an infantry division until he lost a leg at the Battle of Chickamauga. After the war, he was elected Michigan Attorney General and, subsequently, was a two-term United States Congressman.

# ALFRED RUSSELL (1862 - 1869) -Abraham Lincoln, Andrew Johnson

As wartime United States Attorney, he litigated internal revenue cases and enforced the unpopular draft law. He headed a



diplomatic mission to Canada to end border raids by Confederates into Vermont. He prosecuted offenders in the post-war crime wave and enforced new statutes designed to regulate economic growth. When the Eastern and Western Districts were created by Congress in 1863, he became the first Eastern District United States Attorney.



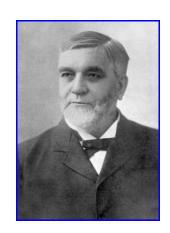
AARON B. MAYNARD (1869 - 1876) -Ulysses S. Grant

In a development which reduced both autonomy and confusion, the nation's United States Attorneys came under the supervision of the

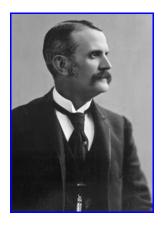
Attorney General and the Justice Department, which was formed in 1870. He prosecuted 54 criminal cases in 1873, involving customs, internal revenue, and postal violations. His 26 civil cases that year, primarily customs and tax claims, resulted in judgments totaling over \$20,000.

# SULLIVAN M. CUTCHEON (1877 - 1885) -Rutherford B. Hayes

A teacher, Congressman and Michigan Speaker of the House of Representatives before his



appointment, he had 436 convictions, seven acquittals and terminated 233 civil cases as United States Attorney. The federal district court in Port Huron was established in 1878. Throughout his adult life, he was active in Detroit's cultural, financial and legal affairs.



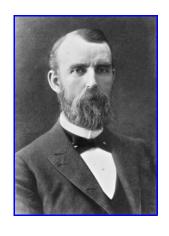
CYRENIUS P. BLACK (1885 - 1890) -Grover Cleveland

A former state prosecutor and legislator, he was known as a persistent litigator as United States Attorney. The office was located in

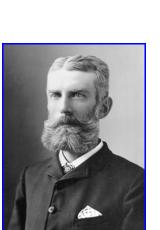
the new federal building, which was used until 1932. Postal theft was an important subject of federal prosecutions. A federal district court in Bay City was established in 1887. After his term, he became a successful trial lawyer and wrote extensively about legal affairs in historical journals.

# THEODORE F. SHEPARD (1890 - 1894) Benjamin Harrison

Known as a tenacious state prosecutor for Bay County, he and his Assistant United States Attorney were active litigators, especially in



immigration cases. One of his criminal cases reached the Supreme Court on the issue of whether the admiralty term Ahigh seas@ included the Detroit River. The Court concluded it did. Bay City's first federal courthouse was constructed in 1893. After his term, he was a state circuit judge until 1906.



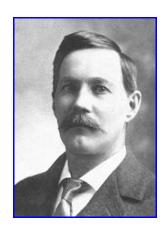
JARED W. FINNEY (1894, 1898) -Interim Appointments

As a boy in Detroit, he worked and played in his father's barn, which was one of the last stops in the Underground Railroad for ex-slaves escaping

to Canada. An Assistant United States Attorney for 19 years, he was the first Interim United States Attorney, and he maintained continuity in planned and pending litigation in the Office until Presidential appointments were finalized. After his term, he became a United States Commissioner and served in that position for 40 years until his death at age 88.

# ALFRED P. LYON (1894 - 1898) -Grover Cleveland

During his term the annual budget for the United States Attorney's Office, including Marshals, jurors, witnesses, prisoner expenses, clerks and



Commissioners, was \$36,555.50, compared to over \$12 million a hundred years later. A former teacher, prosecutor, City Attorney, and civil litigator, he was the first United States Attorney to receive a salary, rather than be paid based on fees collected. Other federal law enforcement developments included the first federal prison and the first designated criminal investigators.



WILLIAM D. GORDON (1898 - 1906) -William McKinley

A former state prosecutor, probate judge and Speaker of the Michigan House of Representatives, he was known as an effective debater, and

he was successful in his federal litigation as United States Attorney. One of his civil cases involved the forfeiture of 581diamonds smuggled from Canada. During his term, Michigan experienced a growth in manufacturing which would soon eclipse lumbering and mining in importance for the Michigan economy.

# FRANK H. WATSON (1906 - 1911) -**Theodore** Roosevelt

Before his appointment, he was a teacher, lawyer and state legislator. Developments in federal law enforcement during his term included the first federal anti-narcotic legislation, anti-trust prosecutions, and several new federal prisons, as well as the increased use of federal investigative offices, including the Bureau of Investigation, Secret Service, Postal Inspection Service, Customs and Internal Revenue Service.







# **ARTHUR J. TUTTLE** (1911 - 1912) -William Taft

The criminal caseload, including internal revenue, post office, banking act, food and drug, interstate commerce and counterfeiting prosecutions,

increased significantly during his term. He resigned to accept President Taft's appointment as United States District Judge, a post he held for over 30 years. As a judge, he presided over two federal capital cases in which he sentenced both men to death.

# **CLYDE I. WEBSTER** (1912 - 1916) -William Taft

During his term, the auto industry was born and rapidly developed into the state's chief industry. The United States Attorney's Office consisted of the



United States Attorney, two Assistants and two male clerks and had an annual salary budget of \$7,806.40. Postal violations were the primary category of federal criminal prosecutions. Civil cases involved disputes over federal safety appliance and labor laws, as well as immigration and forfeiture cases.



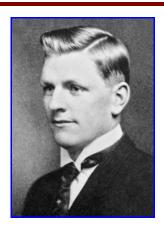
JOHN E. KINNANE (1916 - 1921) -Woodrow Wilson

As the wartime **United States** Attorney, he prosecuted violations of the Conscription Act and proceeded unsuccessfully against hundreds of German

aliens, most of whom were eventually released when the evidence proved to be insufficient. His most celebrated case involved the prosecution of United States Senator Truman Newberry for corruption, a conviction later reversed by the Supreme Court. After the 19th Amendment was ratified in 1919, prohibition prosecutions began to swell the United States Attorney's Office caseload.

# EARL J. DAVIS (1921 - 1924) -Warren Harding

The work of the United States Attorney's Office centered on enforcement of the National Prohibition Act, and the conviction rate was



about 98%. The caseload tripled during his term, three-quarters of which was prohibition-related. He also prosecuted several public corruption cases involving law enforcement officers charged with offenses related to prohibition enforcement. He left the Office to head the Criminal Division of the Justice Department.



# DELOS G. SMITH (1924 - 1927) -Calvin Coolidge

The onslaught of both civil and criminal prohibition cases strained the United States Attorney's Office resources. During the final year of his term, he and

his two Assistants tried 166 criminal cases and terminated 1,879 criminal and 779 civil cases. The salary for the United States Attorney was \$7,500 and, for Assistants, \$3,500. Clerks' salaries averaged about \$1,500. The Bureau of Investigation (later FBI) opened its first office in Detroit in 1924.



An orphan at an early age, he worked as a farmhand and laborer until he received his degrees to be a teacher and, later, an attorney. He



reluctantly accepted the United States
Attorney appointment when his predecessor
resigned, and he quickly became an expert
on prohibition and public corruption cases.
He was appointed Special Assistant Attorney
General at the conclusion of his term to
continue his prosecution of case fixers,
bondsmen and federal officials, including
the Chief Clerk, in the Detroit Federal
Building.



JOHN R. WATKINS (1928 - 1931) -Calvin Coolidge

During his term as United States Attorney, he handled a significant increase in narcotics cases along with about 2,000 prohibition and 1,300 civil cases each

year. Michigan Big Three Auto-Makers produced a majority of the cars built in America. However, the Roaring 20s' superficial prosperity crashed in 1929, and Depression unemployment in Michigan climbed to 25%.

# **GREGORY H. FREDERICK** (1931 - 1936) -**Herbert Hoover**

Appointed as an **Assistant United** States Attorney in 1925, he was a controversial candidate for the **United States** 



Attorney position because of his perceived unfriendliness to the prohibition cause. With Prohibition's repeal in 1932, the Office caseload was reduced considerably, at least until the variety of federal social welfare programs spawned litigation. President Hoover's perceived unresponsiveness to the growing number of the poor resulted in a revival of the once moribund Michigan Democratic Party.



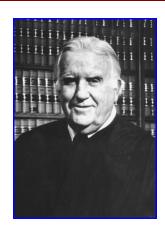
JOHN C. LEHR (1936 - 1947) -Franklin D. Roosevelt

Because of Roosevelt's economic program and the wartime developments, he was the United States Attorney in a

turbulent time of increased federal involvement. He tried two capital cases, one for bank robbery homicide, in which Anthony Chebatoris was eventually hanged, and the other for treason, in which Max Stephan's sentence was commuted just twelve hours before his scheduled execution in 1943. United States Attorney's Office staffers worked long hours, including weekends, on cases involving narcotics and draft law violations, immigration and citizenship disputes, and other subjects.

# THOMAS P. **THORNTON** (1947 - 1949) -Harry S. Truman

An outstanding college football player, his ferocity on the gridiron earned him the nickname ATiger.@ Becoming an Assistant in 1936,



he earned a reputation as an outstanding trial lawyer, and he continued to be active in the courtroom when he became United States Attorney. He was appointed as a United States District Judge in 1949. As both a prosecutor and a judge in the United States Courthouse for almost 50 years, he was considered tough but fair, and his natural sense of Irish humor was legendary.



JOSEPH C. **MURPHY** (1949) - Interim **Appointment** 

Returning to the **United States** Attorney's Office in 1947 after three years in the Navy, he was entrusted with the most difficult and high profile cases,

including over 100 defendants charged in large scale theft from Ford Motor Company. His courtroom advocacy skills and meticulous preparation made him an effective trial lawyer. He remained in the Office as Chief Assistant until 1953.

# EDWARD T. KANE (1949 - 1952) -Harry S. Truman

As a former Mayor of Algonac and justice of the peace, he recognized the growing menace posed by drug trafficking and spoke out about this



problem and the need for parents to take responsibility for their children. He hired the first African-American, Charles Smith, and the first woman, Janet Kinnane, as Assistant United States Attorneys. After his term he served as a St. Clair County Circuit Judge.



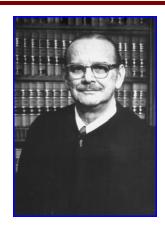
PHILIP ALOYSIUS HART (1952 - 1953) -Harry S. Truman

He left his law practice in 1941 to enlist in the Army, where he was wounded during the D-day Normandy invasion at Utah

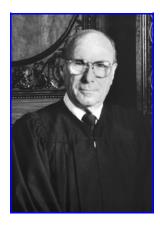
Beach, but he continued to serve in the infantry until 1946. After the war, he was appointed United States Attorney, but he left the Office after a short term to serve as the Governor's legal advisor, followed by his election as Lt. Governor, and then 18 years as a United States Senator, where he earned a reputation as "Conscience of the Senate."

# FREDERICK W. KAESS (1953 - 1960) -Dwight D. Eisenhower

During his term, the United States Attorney's Office was involved in several cases which ended up in the Supreme Court



on the procedural rights of federally charged conscientious objectors, political contributions by labor organizations, immigration by suspected Communist Party members, and the constitutionality of the estate tax on life insurance proceeds. He left the Office in 1960 when he was confirmed as a United States District Judge for the Eastern District, a position he held for 19 years.



GEORGE E. WOODS (1960 - 1961) -Interim Appointment

As Chief Assistant since 1953, his term bridged the gap until Lawrence Gubow's appointment. His service was particularly necessary

because of the ever increasing criminal and civil dockets at the time. The average annual caseload was 700 criminal and 250 civil cases during his term. After he left the Office, he was a prominent trial attorney in Detroit for 20 years, followed by his appointment as a United States Bankruptcy Judge and, in 1983, as a United States District Judge.

LAWRENCE GUBOW (1961 - 1968) -John F. Kennedy

During his term, many social changes resulted in federal litigation involving the Office, including the emergence of the New Left, the



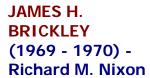
beginning of the Vietnam War, the recognition of widespread racial discrimination and poverty, and the Detroit riot of 1967. The most numerous criminal cases, however, involved embezzlement, fraud, liquor and tax violations. Civil cases involved disputes over federal contracts, torts, and labor laws.



ROBERT J. GRACE (1968 - 1969) -Interim Appointment

As an Assistant United States Attorney, he was assigned a wide variety of civil and criminal cases. One of the cases in his term was the prosecution for

the bombing of the Ann Arbor CIA Office by the White Panther Party. During his term as United States Attorney, the Supreme Court ruled, in cases originating in the Eastern District of Michigan, in the government's favor on a pair of Food and Drug Administration cases and a case involving the priority of the government's tax lien over subsequent purchasers.



As a former FBI
Special Agent and
state prosecutor, he
was active in
supporting
adjustments in the
criminal justice



system in response to the Warren Court's redefinition of criminal procedure and the exclusionary rule protections for criminal defendants. He also supported better training, technology, and funding for federal law enforcement. After his brief term, he served as Lt. Governor, President of Eastern Michigan University and Justice of the Michigan Supreme Court.



RALPH B. GUY, JR. (1970 - 1976) - Richard M. Nixon

As chairman of the Attorney General's Advisory Committee, he gave advice to the Attorney General on important policy questions in the Justice Department.

He was active in continuing legal education, including the formation of the Advocacy Institute in Washington, D.C. The proliferation of drug prosecutions made the United States Attorney's Office one of the busiest in the country. As United States Attorney he retained a large appellate caseload. He left the Office to become a United States District Judge, and, in 1985, United States Court of Appeals Judge.

# FREDERICK S. VAN TIEM (1976) - Interim Appointment

A former Assistant United States Attorney, he served as Civil Division Chief until he was named the Interim United States Attorney prior



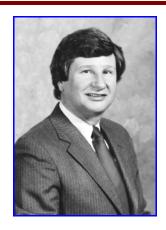
to Philip Van Dam's appointment.
Afterwards, he remained as Chief Assistant for two years. After leaving the Office, he practiced law, became an Assistant Prosecutor in Midland and was named State Racing Commissioner in 1980.



PHILIP M. VAN DAM (1976 - 1977) -Gerald Ford

During his term the criminal and civil caseload continued to increase to a combined total of about 2,300 cases filed annually. The most celebrated

case, Narciso and Perez, involved the convictions, later set aside, of two nurses accused of causing five Veterans Administration Hospital deaths by administering medication which caused breathing failure. There were 31 Assistants and 31 support staff members in the United States Attorney's Office. After his term, he practiced law in Midland until his appointment as a State District Judge.



JAMES K. ROBINSON (1977 - 1980) -Jimmy Carter

Receiving additional staffing to 47 Assistants and 50 support staff members, he re-organized the Office, formed an

Appellate Division, and instituted changes in press relations. He also re-prioritized resources and promoted continuing legal education. Drug and fraud prosecutions focused on more culpable violators. The Office's civil caseload increased to over 3,000 cases filed annually. After leaving the Office, he was an active civil litigator, headed the Criminal Division of the Justice Department, and engaged in a wide variety of teaching and writing projects.

RICHARD A.
ROSSMAN
(1980 - 1981) Interim
Appointment

Prior to joining the Office as Chief Assistant, he was a state prosecutor, Chief Deputy Federal Defender and a



private practitioner. Developments during his term included the creation of a Public Corruption Unit in the Office, increased enforcement of the Clean Water Act, and the development of an active airport unit with the Drug Enforcement Administration. He later served as Chief of Staff in the Justice Department Criminal Division and was an active civil and criminal litigator in the Detroit area.



LEONARD R. GILMAN (1981 - 1985) -Ronald Reagan

Having been a popular state prosecutor and Criminal Division Chief for the Office, he was named Core City United States

Attorney for the Organized Crime Drug Enforcement Task Force for the region. This provided additional resources to the office and led to a multi-agency, cooperative approach to drug prosecutions. Other developments included the enactment of the Sentencing Reform and Bail Reform Acts, which changed significantly sentencing and bail/detention procedures. One of the most significant cases during his term was the prosecution of Young Boys, Inc., a notorious Detroit narcotics gang.

JOEL M. SHERE (1985 - 1986) -Interim Appointment

As an Assistant United States Attorney from 1964-1967, he prosecuted a wide range of criminal cases. In 1982 he



was named Chief Assistant, a position he held until Leonard Gilman's untimely death. His steady and reassuring guidance maintained continuity and productivity in the Office. The civil caseload doubled from 1980 until 1986, with the public receiving \$24 for every dollar spent by the Civil Division. After his term, he returned to private practice and a host of professional and charitable activities.



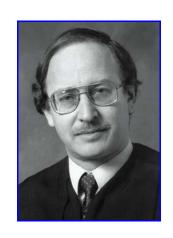
**ROY C. HAYES** (1986 - 1989) - Ronald Reagan

With extensive experience as a state prosecutor and Director of the Wayne County Organized Crime Task Force, he helped to implement the new sentencing

guidelines and mandatory minimum statutes, whose goal was to eliminate disparity and uncertainty in sentencing. He also focused attention on, and support for, the branch offices in Flint and Bay City and was the lead trial attorney for the prosecution of the largest crack cocaine operation in the nation in the Chambers Brothers Gang case.

# STEPHEN J. MARKMAN (1989 - 1993) -George Bush

After positions as Chief Counsel for the Senate Subcommittee on the Constitution and Assistant Attorney General, he made administrative



and technological advances in the Office by planning for a new location, computerization, budget and procurement authority, as well as other modernizing changes. His term involved prosecutions of high profile public corruption cases involving state judges and police officials, gang and firearms projects, and drug kingpins. He left the Office for private practice until he was appointed to the Michigan Court of Appeals and then elected to the Michigan Supreme Court.



ALAN GERSHEL (1993 - 1994, 2001) - Interim Appointments

With an Office of nearly 200 staff members, he maintained leadership during the approval process of the presidential

appointments. As an Assistant since 1980, he had been assigned to almost every unit in the Criminal Division and had tried several high profile prosecutions. He continued his public service as Chief Assistant, Criminal Chief, and in several leadership positions in the Justice Department. As one of the nation's longest serving Criminal Chiefs, he implemented changes in practice and policy to warrant the Office's positive reputation with the bar and public.



The first
African-American
United States
Attorney in the
district, he had been
an Assistant United
States Attorney, HUD
Chief Counsel for the



Detroit District, and Wayne County Corporation Counsel. He devoted considerable effort and resources to crime prevention strategies and community outreach projects, as well as promoting law enforcement training and coordination. Prosecution priorities increasingly focused on time-consuming and complex cases involving fraud, forfeiture, public corruption and high level drug traffickers.



JEFFREY G. COLLINS (2001 - 2004) -George W. Bush

Leaving a judgeship with the Michigan Court of Appeals, he was soon confronted with the nation-changing events of September

11, 2001. While the Office continued its prosecution priorities in drug trafficking, fraud, public corruption and violent crime, as well as busy civil and appellate dockets, he re-directed resources into counter-terrorism investigations and prosecutions. He also spent a considerable amount of effort building ties with the Arab and Muslim communities, combating hate crimes and fostering public confidence in the criminal justice system.

CRAIG MORFORD (2004 - 2005) -Interim Appointment

While serving as the First Assistant of the Cleveland United States Attorney's Office, he was appointed by the Justice Department to



conduct an internal review of a high profile terrorism prosecution. That review led to a decision by the government to move to vacate the three terrorism convictions. As Interim United States Attorney, he oversaw the implementation of new policies for plea bargains and cooperation agreements. Prosecution of white collar crime, public corruption, high level drug trafficking and firearms offenses were priorities during his term.



STEPHEN J. MURPHY III (2005 - 2008) -George W. Bush

A former AUSA and DOJ Trial Attorney, he rejoined the Office from the General Motors Legal Staff. He developed innovative strategies,

working with local law enforcement and private industry, to safeguard against terrorism attacks and to prosecute national security offenses. He also enhanced the Office's capabilities for prosecuting internet child exploitation and cyber crime cases. The Office maintained a strong commitment to community outreach, particularly with minority groups, as well as in programs to reduce crime, to educate youth, and to educate those entitled to federal civil rights protections.



TERRENCE BERG (2008 -Present) -Acting Appointment

Mr. Berg joined the U. S.

Attorney's Office in 1989 as an Assistant United States Attorney. In 1999, Mr. Berg left the U. S. Attorney's Office to join the Michigan Department Office of the Attorney General where he served as Chief of the Attorney General's High Tech Crime Unit until 2003. In 2003, Mr. Berg returned to the U.S. Attorney's Office and re-joined the Economic Crimes Unit where he brought the first case under the new CAN-SPAM federal statute, which targets illegal spam e-mail. In 2005 Mr. Berg was appointed as First Assistant U.S. Attorney and was responsible for managing an office of approximately 200 employees. Mr. Berg's area of expertise is in computer crimes, intellectual property and trade secret theft offenses and complex white collar crime cases.

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